

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION



STEVE BULLOCK, GOVERNOR

SOUTHWESTERN LAND OFFICE

STATE OF MONTANA

Telephone: (406) 542-4200
FAX: (406) 542-4285

1401 27th Avenue
Missoula, Montana 59804-3199

January 31, 2014

Governor's Office, Tim Baker State Capitol, Room 204 PO Box 200801 Helena MT 59620-0801
Attorney General's Office Cory Swanson Box 201401 Helena MT 59620-1401
Office of the State Superintendent of Public Instruction Ann Gilkey Box 202501 Helena MT 59620-2501
Office of Securities & Insurance Brett O'Neil 840 Helena Ave. Helena MT 59601
Office of Secretary of State Rusty Harper Box 202801 Helena MT 59620
State Sen. Jon Sesso 811 W. Galena St. Butte MT 59701-1540
State Rep. Pat Noonan PO Box 90 Ramsey MT 59748-0090
State Rep. Ryan Lynch PO Box 934 Butte MT 59703-0934
MonTrust PO Box 1111 Missoula MT 59806
Confederated Salish & Kootenai Tribes Tribal Historic Preservation Office PO Box 278 Pablo MT 59855
Montana Smart Growth Coalition 32 S. Ewing Street Helena MT 59601
Montana Environmental Information Center PO Box 1184 Helena MT 59624
Montana Wildlife Federation Attn: David Chadwick PO Box 1175 Helena MT 59624
Montana Association of Land Trusts PO Box 892 Helena MT 59624
Butte Silver Bow Council of Commissioners 155 W. Granite St. Butte MT 59701
Region 2 Fish Wildlife & Parks Attn: Vivaca Crowser 3201 Spurgin Rd. Missoula MT 59804
B-D National Forest Butte Ranger District Attn: Dave Sabo 1820 Meadowlark Butte MT 59701
James Uzlic 431 Herman Gulch PO Box 4283 Butte MT 59701
Ralph Stodden 551 Basin Creek Rd. Butte MT 59702
Jerry & MaryAnn Piazzola 498 Basin Creek Rd. Butte MT 59702-9708

Butte-Silver Bow (BSB) Municipal Corporation of Butte, MT has requested a permanent easement for lands to support a new water treatment facility. The new plant is part of a major upgrade for that portion of the municipal water system provided by the Basin Creek Reservoir.

While the Basin Creek water has been a superior source for more than 100 years, recent fluctuating levels of organic carbons have resulted in the need for additional chlorination which can pose a risk to human health when used at high levels. The addition of this water treatment facility will assure a safe source of water for the City of Butte, in addition to expanding the share of Basin Creek as a city water source, of up to 50%.

Contamination from mining means that wells are not viable sources for water within the city. This leaves Butte with few choices - the Big Hole River, Bear Creek, Basin Creek and Moulton Reservoir. All locations require significant infrastructure to bring water to the city. The Basin Creek location is just 8 miles south of Butte.

After review of multiple locations and attempts to negotiate with private landowners, the BSB has determined that state trust lands are needed to construct a portion of the new facility. The NW4NW4 of Section 36, Township 2 North, Range 8 West has been selected. This location is adjacent to a 5 acre parcel that BSB was able to acquire from a private landowner. State trust lands will be used for pressurizing infrastructure and to stabilize the site location. A map of the land required for this construction is attached to this notice.

Easements, leases and licensed uses across state land must be approved by the State Land Board. Compensation is based on the fair market value, and returns are placed in the trust associated with the state trust land. This parcel is a Common School trust piece, and revenues will benefit K-12 school children of Montana.

This project requires additional multiple permits and authorizations, including but not limited to those from adjacent landowners, BSB, and the Department of Environmental Quality.

The Department of Natural Resources and Conservation is required by the Montana Environmental Policy Act to assess potential impacts of proposed activities on state lands to the human and physical environment. Public comments on this project are being sought in order to complete that assessment.

Public comment will be taken for 21 days (through February 21, 2014.) This request for public comment is also being posted on the DNRC website at <http://dnrc.mt.gov/PublicInterest/Notices/Default.asp>

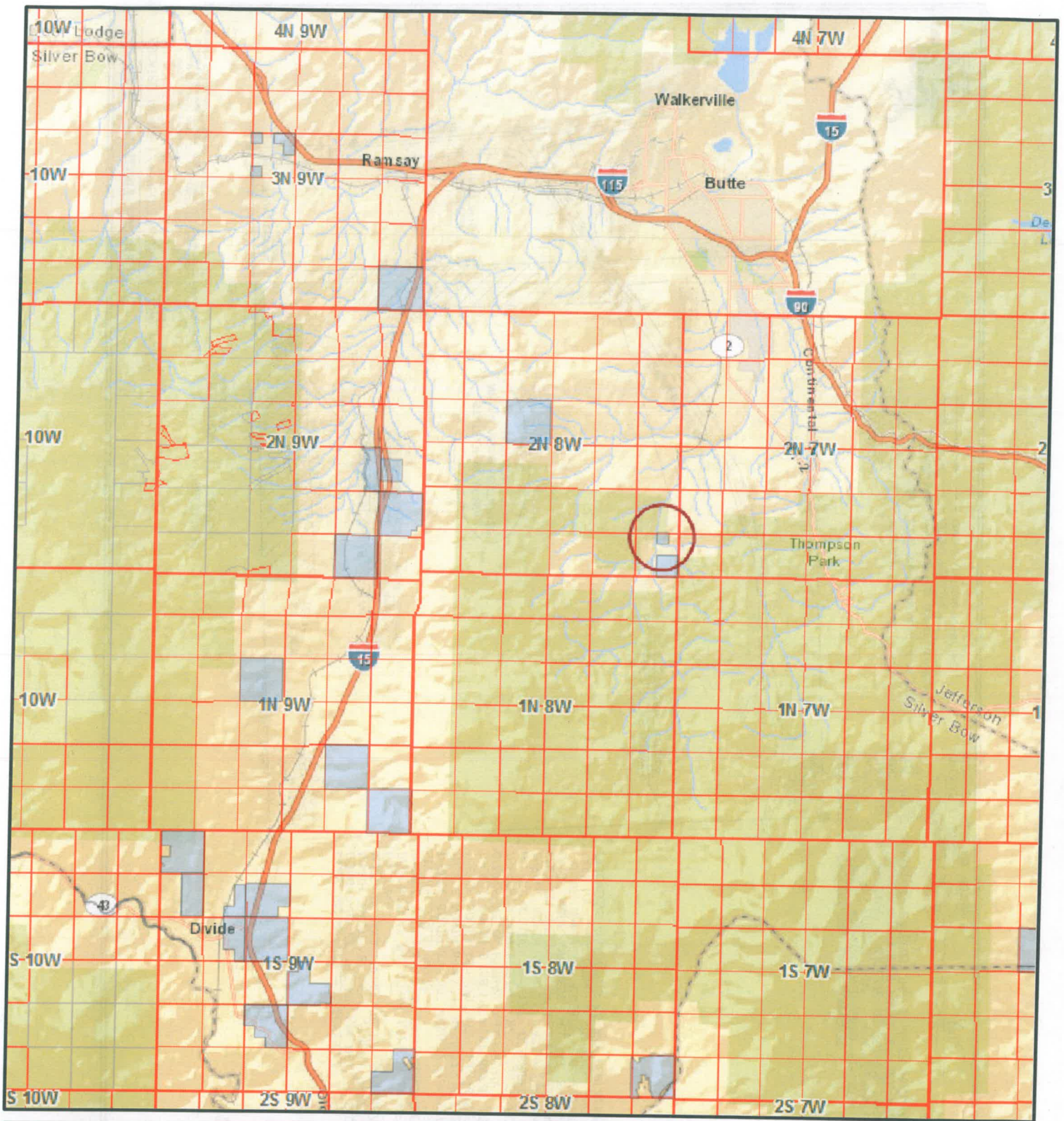
Comments may be submitted by email at dboruch@mt.gov. You may also mail written comments to SWLO-DNRC, Attn: Dana Boruch 1401 27th Avenue, Missoula MT 59804. If you have any questions, you may call 406-542-4286.

Dana M. Boruch
Right-of-Way Specialist
Southwestern Land Office

Enc.

(cont.)

Richard Setterstrom 746 Standby Creek Rd. Butte MT 59701-9718
Carol & Barney Courtland 345 Herman Gulch Rd. Butte MT 59701-9744
Martha M. Pecukonis 923 West Copper St. Butte MT 59701-9005
Nick & Judy Di Giovine 425 Two Bit Lane Butte MT 59701-9764
Garald A. McWhorter 2200 Skyway Ave. Butte MT 59701-6414
John G. Davidson Jr. 634 Basin Creek Road Butte, MT 59701-9707
Elaine F Howard PO Box 682 Butte MT 59703-0682
David J. Peshek 1309 Herman Gulch Road Butte MT 59701-9742
Harry Raymond Shaffer 1047 Herman Gulch Road Butte MT 59701-9761
Pamela M. Magnuson 813 Herman Gulch Road Butte MT 59701-9762
O'Neil Trust 3655 Harrison Ave. Butte MT 59701-3549
Mike J & Kay Bartoletti 150 Apple Orchard Road Butte MT 59701
Cole Ranch Properties LLC 510 Hummingbird Lane. Butte MT 59701-9727
Gary Wold 372 Basin Creek Road Butte MT 59701-9726
Max & Lisa Yates PO Box 3685 Butte MT 59701



Vicinity Map



BSB Water Treatment Facility



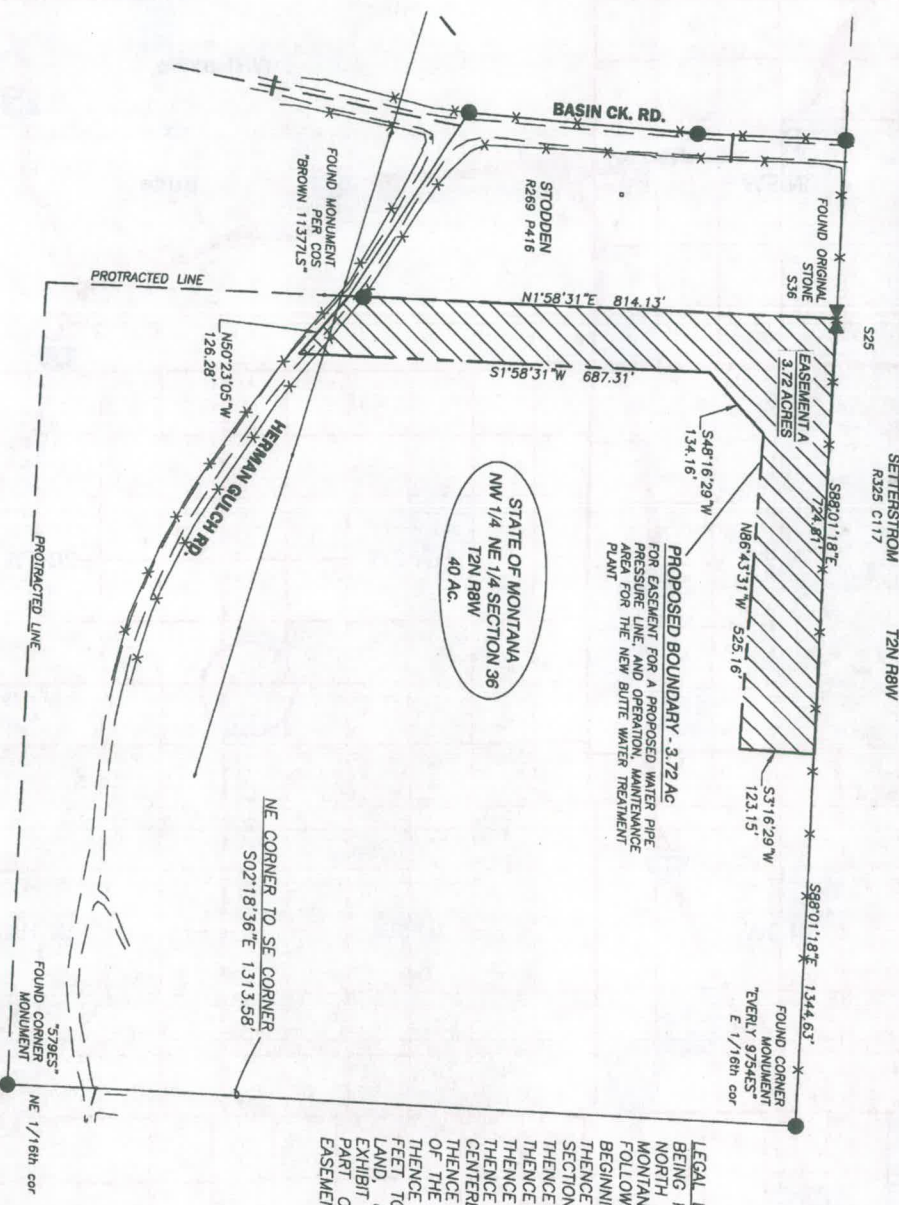
Printed: Jan 31, 2014

DNRC EASEMENT EXHIBIT A

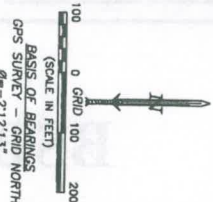
LOCATED IN NE 1/4 SECTION 36 T2N R8W, P.M.M.
 BUTTE SILVER BOW CITY-COUNTY, MONTANA.
 THE PURPOSE OF THIS EXHIBIT IS TO SHOW THE EXTERIOR BOUNDARIES OF A
 PROPOSED EASEMENT AREA FOR PIPE PRESSURE LINE AND OPERATION, MAINTENANCE
 OPERATION, AND MAINTENANCE FOR A PROPOSED BUTTE WATER TREATMENT PLANT
 ACROSS STATE LANDS. SURVEY WAS PERFORMED IN FALL, 2013.



LEGEND:
 - - - - - EDGE ROAD
 - - - - - FOUND STONE MONUMENT, OR AS NOTED
 - - - - - FOUND/SET PLUS CORNER AS NOTED
 - - - - - EXISTING FENCELINE
 - - - - - EXISTING OVERHEAD POWER LINES



LEGAL DESCRIPTION - EASEMENT A
 BEING PART OF THE NW 1/4 NE 1/4 SECTION 36, TOWNSHIP 2 NORTH RANGE 8 WEST, P.M.M., OWNED BY THE STATE OF MONTANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 36, THENCE SOUTH 88°01'18" EAST ALONG THE NORTH LINE OF SAID SECTION 724.81 FEET;
 THENCE SOUTH 3°16'29" WEST 123.15 FEET;
 THENCE NORTH 86°43'31" WEST 525.16 FEET;
 THENCE SOUTH 48°16'29" WEST 134.16 FEET;
 THENCE SOUTH 01°58'31" WEST 687.31 FEET TO THE APPARENT CENTERLINE OF HERMAN GULCH ROAD;
 THENCE NORTH 50°23'05" WEST 126.28 FEET TO THE EAST LINE OF THE STODDEN PROPERTY DESCRIBED IN ROLL 269 PAGE 416;
 THENCE NORTH 01°58'31" EAST ALONG SAID EAST LINE 814.13 FEET TO THE POINT OF BEGINNING CONTAINING 3.72 ACRES OF LAND, MORE OR LESS, ALL AS SHOWN ON THE ATTACHED EXHIBIT WHICH IS HERewith INCORPORATED IN AND MADE A PART OF THIS LEGAL DESCRIPTION AND IS SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY PERTINENT TO THIS TRACT.



CERTIFICATE OF PROFESSIONAL LAND SURVEYOR:
 I, THOMAS E. STARK, A REGISTERED LAND SURVEYOR IN THE STATE OF MONTANA DO HEREBY CERTIFY THAT I HAVE PERFORMED THE SURVEY AS SHOWN ON THE ATTACHED CERTIFICATE OF SURVEY, DURING SEPTEMBER 2013, AND THAT THE MONUMENTS, EITHER FOUND OR SET, ARE AS SHOWN. ALSO, THE ABOVE SURVEY EXCEEDS THE 5 METER ACCURACY REQUIREMENT BY THE DNRC.

THOMAS E. STARK
 MONTANA REG. NO. 12491S
 1530-14
 DATE

SHEET 1 1 OF 1	SHEET TITLE EASEMENT EXHIBIT A	PROJECT TITLE BUTTE WATER TREATMENT PLANT Butte, Montana	DESIGNED BY T. STARK, PLS	DATE 01/14	<table border="1"> <tr> <th>SYM</th> <th>REVISION</th> <th>BY</th> <th>APPR.</th> <th>DATE</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	SYM	REVISION	BY	APPR.	DATE					
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	DRAWN BY ButteWater-Survey		PROJECT NO.	FILE											
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